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8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2013- 687

12 **JAHN DAMIEN HERRICK**  
Post Office Box 761  
13 Opelika, AL 36803

**A C C U S A T I O N**

14 **Registered Nurse License No. 561178**

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
21 Consumer Affairs.

22 2. On or about December 3, 1999, the Board of Registered Nursing issued Registered  
23 Nurse License Number 561178 to Jahn Damien Herrick (Respondent). The Registered Nurse  
24 License expired on February 28, 2007, and has not been renewed.  
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1 the Nevada Board, Case No. 0354-11C, the Nevada Board accepted and approved Respondent's  
2 Voluntary Surrender of License/Certificate in Lieu of Other Disciplinary Action ("Voluntary  
3 Surrender"). While the Voluntary Surrender became effective on the day it was accepted by the  
4 Nevada Board, Respondent agreed to immediately cease and desist from practicing as a registered  
5 nurse. The Voluntary Surrender was based upon Respondent's admission that while licensed as a  
6 registered nurse during the years 2010 and 2011, he submitted fraudulent prescriptions and  
7 obtained controlled substances for his personal use.

#### 8 DISCIPLINARY CONSIDERATIONS

9 12. To determine the degree of discipline to be imposed on Respondent, if any,  
10 Complainant further alleges that on or about July 24, 1998, in a disciplinary action entitled "In the  
11 Matter of: Jahn Damien Herrick RN Examination Applicant," before the Alabama Board of  
12 Nursing ("Alabama Board"), the Alabama Board entered a Consent Order accepting  
13 Respondent's application to practice as a registered nurse in Alabama provided Respondent do  
14 the following: (1) agree to accept a Public Reprimand from the Alabama Board for the behavior  
15 described in the Consent Order; (2) agree to refrain from such behavior in the future; (3) pay an  
16 administrative fine; and (4) notify each present and future employer in nursing of the Consent  
17 Order by providing them a copy of it. The Alabama Board's Consent Order was based upon its  
18 findings that on or about April 11, 1996, Respondent pled guilty to theft in the 3rd degree for  
19 attempted shoplifting at a Sears Department Store in Auburn, Alabama. Respondent was ordered  
20 to pay various fees and fines and to not trespass on Sears's property again.

#### 21 PRAYER

22 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this  
23 Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

24 1. Revoking or suspending Registered Nurse License Number 561178, issued to Jahn  
25 Damien Herrick;

26 2. Ordering Jahn Damien Herrick to pay the Board of Registered Nursing the reasonable  
27 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
28 Code section 125.3; and

3. Taking such other and further action as deemed necessary and proper.

DATED:

February 28, 2013

for

Stacie Ben

LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

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